

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANA FRANKLIN MATT,

Defendant.

CR 08-25-M-DWM

NOTICE

In anticipation of the final revocation hearing set for January 24, 2025, the Court provides notice that it is contemplating imposing an upward variance. *Cf.* Fed. R. Crim. P. 32(h). Such a variance is contemplated to protect the public in light of the length of time of the alleged violative conduct and the search terms used. *See* 18 U.S.C. §§ 3553(a)(2)(C), 3583(e); *United States v. Miguel*, 444 F.3d 1173, 1181 (9th Cir. 2006).

DATED this 23<sup>rd</sup> day of January, 2025.



Donald W. Molloy, District Judge  
United States District Court